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Dated: August 18, 2004

Signature: Shawn P. Foley
(Shawn P. Foley)

1616
JFW

Docket No.:
CELLTH 3.0-003 CONT CONT V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Warrell et al.

Application No.: 10/758,995

Group Art Unit: 1616

Filed: January 16, 2004

Examiner: A. N. Pryor

For: PROCESS FOR PRODUCING ARSENIC
TRIOXIDE FORMULATIONS AND
METHODS FOR TREATING CANCER USING
ARSENIC TRIOXIDE OR MELARSOPROL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference was of record in United States Patent 6,723,351, the benefit of which is claimed under §120. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

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No. 12-1095.

Dated: August 18, 2004

Respectfully submitted,

By Shawn P. Foley

Shawn P. Foley

Registration No.: 33,071

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

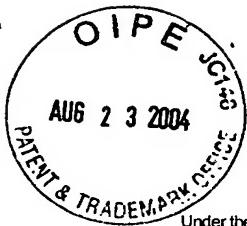
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Substitute for form 1449A/B/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

5

Application Number

10/758,995

Filing Date

January 16, 2004

First Named Inventor

Raymond P. Warrell, Jr.

Art Unit

1616

Examiner Name

A. N. Pryor

Attorney Docket Number

CELLTH 3.0-003 CONT CONT V

0 U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA**	US-132,275-B1	10-15-1872	Gettings		
AB**	US-232,807	10-05-1886	Dennett		
AC**	US-3,700,498	10-24-1972	Kanazawa et al.		
AD**	US-4,497,780	02-05-1985	Barin et al.		
AE**	US-5,759,837	06-02-1998	Kuhajda et al.		
AF**	US-2002/0183385	12-05-2002	Ellison et al.		
AG**	US-6,720,011	04-13-2004	Zhang, Ting-Dong		
AH**	US-6,770,304	08-03-2004	Warrell et al.		
AI**	US-2003/0099719	05/2003	Warrell et al.		
AJ**	US-6,723,351	04-20-2004	Warrell et al.		
AK**	US-6,773,792	05-11-2004	Lu		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	JP-51-88620		03-08-1976			
BB	WO-95/01789		01-19-1995			
BC	CN-1133725		10-23-1996			
BD	CN-1131037		09-18-1996			
BE	CN-1122700		05-22-1996			
BF	CN-1081104		01-26-1994			
BG	CN-1119113		03-27-1996			
BH	CN-1061908		06-17-1992			
BI	CN-1121807		05-08-1996			
BJ	CN-1079391		12-15-1993			
BK	WO-94/02103		02-03-1994			
BL	FR-2 539 993		03-31-1994			
BM	DE-43 17 331		12-01-1994			
BN	WO-95/22336		08-24-1995			
BO	LV-11667		06-20-1997			
BP	WO-94/02108		02-03-1994			

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
CA		CUTLER et al., Article IV, American Journal of the Medical Sciences, pp. 74-84, January 1878	
CB		FORKNER et al., "Arsenic as a therapeutic agent in chronic myelogenous leukemia", Jour.	

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
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				First Named Inventor	Raymond P. Warrell, Jr.
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				Examiner Name	A. N. Pryor
Sheet	2	of	5	Attorney Docket Number	CELLTH 3.0-003 CONT CONT V

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Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	10/758,995
				Filing Date	January 16, 2004
				First Named Inventor	Raymond P. Warrell, Jr.
				Art Unit	1616
				Examiner Name	A. N. Pryor
Sheet	3	of	5	Attorney Docket Number	CELLTH 3.0-003 CONT CONT V

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Sheet	4	of	5	Attorney Docket Number	CELLTH 3.0-003 CONT CONT V

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(Shawn P. Foley)

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Commissioner for Patents
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REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)

Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge Deposit Account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our Deposit Account No. 12-1095.

Dated: August 18, 2004

Respectfully submitted,

By Shawn P. Foley
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